

APPENDIX

REGULATION OF MEMBER OF BOARD OF GOVERNORS  
NUMBER 22/14/PADG/2020

DATED 28 MAY 2020

ON

PROCEDURE FOR LICENSING AND OPERATION OF  
CENTRAL COUNTERPARTIES FOR OVER-THE-  
COUNTER INTEREST RATE AND EXCHANGE RATE  
DERIVATIVE TRANSACTIONS

EXAMPLE OF LETTER OF APPLICATION FOR LICENSING AS CENTRAL  
COUNTERPARTY FOR OVER-THE-COUNTER INTEREST RATE AND EXCHANGE  
RATE DERIVATIVE TRANSACTIONS

1. EXAMPLE OF APPLICATION LETTER FOR PRINCIPAL APPROVAL AS CCP SBNT.
2. EXAMPLE OF APPLICATION LETTER FOR BUSINESS LICENSE AS CCP SBNT.
3. EXAMPLE OF STATEMENT LETTER OF INDEPENDENT COMMISSIONER AND DIRECTOR IN CHARGE OF CCP SBNT.
4. EXAMPLE OF STATEMENT LETTER OF FUND SOURCE FOR CAPITAL FULFILLMENT.
5. EXAMPLE OF REQUEST LETTER FOR CHANGE OF INDEPENDENT COMMISSIONER AND/OR DIRECTOR IN CHARGE OF CCP SBNT.
6. EXAMPLE OF APPLICATION LETTER FOR CORPORATE ACTIONS.
7. EXAMPLE OF APPLICATION LETTER FOR INTERCONNECTION.

1. EXAMPLE OF APPLICATION LETTER FOR PRINCIPAL APPROVAL AS CCP SBNT

Number : ... .....  
Appendix : ...

To .....  
in .....

Re : Application for Principal Approval as CCP SBNT

Referring to Regulation of Bank Indonesia Number 21/11/PBI/2019 on Central Counterparties for Over-the-Counter Interest Rate and Exchange Rate Derivative Transactions and Regulation of Member of Board of Governors Number 22/14/PADG/2020 on Procedure for Licensing and Operation of Central Counterparties for Over-the-Counter Interest Rate and Exchange Rate Derivative Transactions, we hereby apply for obtaining a principal approval as CCP SBNT with the following data:

**I. Company Identity**

Company Name : .....  
Address : .....  
Contact Person : .....  
Telephone Number : .....

**II. Supporting Documents**

1. Copy of deed of establishment approved by the competent institution, including its last amendment which has been approved by the competent institution or a receipt of notice of amendment to the articles of association from the competent institution, which contain the articles of association and other information on company establishment;
2. Statement letter of one of the members of Board of Directors containing information that shareholders have paid-up capital minimum of Rp200,000,000,000.00 (two hundred billion rupiah);

3. Share ownership data as follows:
  - 1) share ownership structure including the detailed amount of each share ownership; and
  - 2) status of shareholders.
4. List of members of the Board of Commissioners which includes at least 1 (one) Independent Commissioner.
5. List of members of the Board of Directors which includes at least 1 (one) candidate of Director or Director in Charge of CCP SBNT.
6. Organizational structure and plan for fulfillment of human resources.
7. Business plan for the first 3 (three) years.
8. Long-term strategic corporate plan.
9. Guideline concept for implementation of governance, risk management, internal control system, and plan for information technology system used.
10. Standard operational procedure.

The application letter and supporting documents are true and we prepare them with full responsibility. If any data is found false in the future, we agree to accept the risks and consequences arising from any actions taken by Bank Indonesia.

Your attention will be highly appreciated.

Sincerely,

Company Name

Signature/Company Stamp

Full Name\*)

Position

\*) full name of one of the members of Board of Directors

2. EXAMPLE OF APPLICATION LETTER FOR BUSINESS LICENSE AS CCP SBNT

Number : ... .....  
Appendix : ...

To  
.....  
in .....

Re : Application for Operating License as CCP SBNT

Referring to Regulation of Bank Indonesia Number 21/11/PBI/2019 on Central Counterparties for Over-the-Counter Interest Rate and Exchange Rate Derivative Transactions and Regulation of Member of Board of Governors Number 22/14/PADG/2020 on Procedure for Licensing and Operation of Central Counterparties for Over-the-Counter Interest Rate and Exchange Rate Derivative Transactions, and Bank Indonesia letter Number ..... dated ..... on principal approval as CCP SBNT, we hereby apply for obtaining an operating license as CCP SBNT with the following data:

**I. Company Identity**

Company Name : .....  
Address : .....  
Contact Person : .....  
Telephone Number : .....

**II. Supporting Documents**

1. Copy of valid principal approval as CCP SBNT.
2. Evidence of fulfillment of minimum capital requirements as follows:
  - a. the most recent financial statement; and/or
  - b. evidence of capital fulfillment minimum of Rp400,000,000,000.00 (four hundred billion rupiah) to CCP SBNT account.
3. Provisions for CCP SBNT rule book.
4. Evidence of operational readiness as follows:

- a. document on the readiness of organizational structure and human resources;
  - b. document on user acceptance test result on the system used;
  - c. document on the readiness of business sustainability management and disaster recovery plan; and
  - d. document on standard operational procedure.
5. Copy of deed of establishment of association approved by the competent institution, including its last amendment which has been approved by the competent institution or a receipt of notice of amendment to the articles of association from the competent institution, which contain the articles of association and other information on company establishment containing:
  - a. requirements that appointment of an Independent Commissioner and Director in Charge of CCP SBNT must obtain the prior approval of Bank Indonesia; and
  - b. organizational structure containing the composition of the Board of Commissioners and Board of Directors with at least 1 (one) Independent Commissioner and 1 (one) Director in Charge of CCP SBNT.
6. List of members of the Board of Commissioners and Board of Directors.
7. Data on Independent Commissioner and Director in Charge of CCP SBNT, equipped with supporting documents.
8. Share ownership data, in the event of change.
9. Statement letter from one of the members of Board of Directors declaring that the fund source used for capital fulfillment does not come from any loan or financing facility in any form and/or from and for money laundering.

The application letter and supporting documents are true and we prepare them with full responsibility. If any data is found false in the future, we agree to accept the risks and consequences arising from any actions taken by Bank Indonesia.

Your attention will be highly appreciated.

Company Name  
Signature/Company Stamp

Full Name\*)  
Position

\*) full name of one of the members of the Board of Directors

3. EXAMPLE OF STATEMENT LETTER OF INDEPENDENT COMMISSIONER  
AND DIRECTOR IN CHARGE OF CCP SBNT

STATEMENT LETTER

Referring to Regulation of Bank Indonesia Number 21/11/PBI/2019 on Central Counterparties for Over-the-Counter Interest Rate and Exchange Rate Derivative Transactions and Regulation of Member of Board of Governors Number 22/14/PADG/2020 on Procedure for Licensing and Operation of Central Counterparties for Over-the-Counter Interest Rate and Exchange Rate Derivative Transactions, I the undersigned:

Name : .....  
Position : .....  
Company Name : .....  
Company Address : .....

Hereby declare that I:

1. have not served any punishment after found guilty of committing any of the following crimes:
  - a. crimes in financial service sector, within the last 20 (twenty) years;
  - b. crimes as specified in the Indonesian Criminal Code and/or any code similar thereto overseas which are subject to imprisonment of 1 (one) year or more, within the last 10 (ten) years; and/or
  - c. any other crimes which are subject to imprisonment of 1 (one) year or more, among others are corruption, money laundering, narcotics or psychotropic substances, smuggling, customs and excise, human trafficking, arms trafficking, terrorism, money counterfeiting, crimes in taxation, forestry, environment, marine, and fishery within the last 20 (twenty) years;
2. am committed to developing CCP SBNT;
3. am committed to performing duties and obligations to carry on business activities under the laws and regulations and support the policies of Bank Indonesia on development of domestic money market and foreign exchange market;
4. do not have any non-performing loan and/or financing;
5. have never been declared insolvent and/or has never become the shareholder, non-shareholder controller, member of the Board of Directors,

- or member of the Board of Commissioners found guilty of making a company insolvent within the last 5 (five) years prior to nomination; and
6. do not have any financial, management, share ownership, and/or family relationship with other members of Board of Commissioners, Board of Directors, and/or controlling shareholders or any other relationships which may affect their ability to act independently\*).

I declare that this statement is true and may be justified. If anything in this statement is found false in the future, we will be fully responsible for all legal consequences arising therefrom.

We prepare this statement voluntarily without duress from any party for proper use.

City, Date/Month/Year

Sincerely,

Signature

Duty Stamp

Full Name

Position

\*) specifically for Independent Commissioner



4. EXAMPLE OF STATEMENT LETTER OF FUND SOURCE FOR CAPITAL FULFILLMENT

STATEMENT LETTER

Referring to Regulation of Bank Indonesia Number 21/11/PBI/2019 on Central Counterparties for Over-the-Counter Interest Rate and Exchange Rate Derivative Transactions and Regulation of Member of Board of Governors Number 22/14/PADG/2020 on Procedure for Licensing and Operation of Central Counterparties for Over-the-Counter Interest Rate and Exchange Rate Derivative Transactions, I the undersigned:

Name : .....  
Position : .....  
Company Name : .....  
Company Address : .....

Hereby declare that the fund source used for CCP SBNT capital fulfillment does not come from any loan or financing facility in any form and/or from and for money laundering.

I declare that this statement is true and may be justified. If anything in this statement is found false in the future, we will be fully responsible for all legal consequences arising therefrom.

We prepare this statement voluntarily without duress from any party for proper use.

City, Date/Month/Year

Sincerely,  
Signature

Duty Stamp

Full Name\*)  
Position

\*) full name of one of the members of the Board of Directors

5. EXAMPLE OF REQUEST LETTER FOR CHANGE OF INDEPENDENT COMMISSIONER AND/OR DIRECTOR IN CHARGE OF CCP SBNT

Number : ... .....  
Appendix : ...

To .....  
in .....

Re : Request for Change of Independent Commissioner and/or Director in Charge of CCP SBNT \*)

Referring to Regulation of Bank Indonesia Number 21/11/PBI/2019 on Central Counterparties for Over-the-Counter Interest Rate and Exchange Rate Derivative Transactions and Regulation of Member Board of Governors Number 22/14/PADG/2020 on Procedure for Licensing and Operation of Central Counterparties for Over-the-Counter Interest Rate and Exchange Rate Derivative Transactions, we hereby apply for change of Independent Commissioner and/or Director in Charge of CCP SBNT \*) with the following data:

Replaced Commissioner/Director:  
Name : .....  
Position : .....  
Address : .....

Commissioner/Director Candidate:  
Name : .....  
Position : .....  
Address : .....

For your consideration, we submit:

1. list of members of the Board of Commissioners and/or Board of Directors;
2. name of the new Independent Commissioner and/or Director in Charge of CCP SBNT, equipped with the following supporting documents:

- a. copy of identity card in the form of Resident's Identity Card or passport;
  - b. curriculum vitae signed by the member;
  - c. copy of university diploma at least of bachelor's degree or the same level<sup>1\*\*</sup>); and
3. statement letter from each Independent Commissioner and/or Director in charge of CCP SBNT.

The application letter and supporting documents are true and we prepare them with full responsibility. If any data is found false in the future, we agree to accept the risks and consequences arising from any actions taken by Bank Indonesia.

Your attention will be highly appreciated.

Company Name  
Signature/Company Stamp

Full Name<sup>\*\*\*</sup>)  
Position

<sup>\*</sup>) delete unnecessary option

<sup>\*\*</sup>) requirement for Director in Charge of CCP SBNT

<sup>\*\*\*</sup>) full name of one of the members of Board of Directors

6. EXAMPLE OF APPLICATION LETTER FOR CORPORATE ACTIONS

Number : ... .....  
Appendix : ...

To  
.....  
in .....

Re : Application for Corporate Action in the form of .....\*)

Referring to Regulation of Bank Indonesia Number 21/11/PBI/2019 on Central Counterparties for Over-the-Counter Interest Rate and Exchange Rate Derivative Transactions and Regulation of Member of Board of Governors Number 22/14/PADG/2020 on Procedure for Licensing and Operation of Central Counterparties for Over-the-Counter Interest Rate and Exchange Rate Derivative Transactions, we hereby apply for obtaining an approval for a corporate action in the form of \_\_\_\_\_\*) with the following data:

Company Name : .....  
Address : .....  
Contact Person : .....  
Telephone Number : .....

For your consideration, we submit the following supporting documents:

- a. copy of minutes of GMS on the corporate action resolution;
- b. targeted time of the corporate action;
- c. share ownership structure with the share nominal amount and status of share owners, namely Indonesian citizen, Indonesian legal entity, foreign citizen or foreign legal entity, in the event of any change of share ownership structure due to the corporate action; and
- d. name of Independent Commissioner and/or Director in Charge of CCP SBNT candidate equipped with the required supporting documents, in the event of change of Independent Commissioner and/or Director in Charge of CCP SBNT due to the corporate action.

The application letter and supporting documents are true and we prepare them with full responsibility. If any data is found false in the future, we agree to accept the risks and consequences arising from any actions taken by Bank Indonesia.

Your attention will be highly appreciated.

Company Name  
Signature/Company Stamp

Full Name\*\*)  
Position

\*) to be filled according to the taken corporate action, namely merger, consolidation, acquisition, or demerger

\*\*) full name of one of the members of Board of Directors

7. EXAMPLE OF APPLICATION LETTER FOR INTERCONNECTION

Number : ... .....  
Appendix : ...

To  
.....  
in .....

Re : Application for Interconnection with .....\*)

Referring to Regulation of Bank Indonesia Number 21/11/PBI/2019 on Central Counterparties for Over-the-Counter Interest Rate and Exchange Rate Derivative Transactions and Regulation of Member of Board of Governors Number 22/14/PADG/2020 on Procedure for Licensing and Operation of Central Counterparties for Over-the-Counter Interest Rate and Exchange Rate Derivative Transactions, we hereby apply for obtaining an approval for interconnection with \_\_\_\_\_\*) with the following data:

Company Name : .....  
Address : .....  
Contact Person : .....  
Telephone Number : .....

For your consideration, we submit the following supporting documents:

- a. agreement or draft agreement; and
- b. analysis and mitigation of risks arising from interconnection.

The application letter and supporting documents are true and we prepare them with full responsibility. If any data is found false in the future, we agree to accept the risks and consequences arising from any actions taken by Bank Indonesia.

Your attention will be highly appreciated.

Company Name  
Signature/Company Stamp

Full Name\*\*)  
Position

\*) name of financial market infrastructure/operator of transaction for interconnection

\*\*) full name of one of the members of Board of Directors

MEMBER OF BOARD OF GOVERNORS,

(signed)

DESTRY DAMAYANTI